

FAX TRANSMISSION**DATE:** November 2, 2009**PTO IDENTIFIER:** **Application Number** 10/656,479
Patent Number**Inventor:** Helitzer et al.**MESSAGE TO:** Examiner Natalie Pass
US Patent and Trademark Office**FAX NUMBER:** (571) 273-6774**MESSAGE TO:** Examiner Jerry O'Connor
US Patent and Trademark Office**FAX NUMBER:** (571) 273-6787**FROM:** ROPES & GRAY LLP
Edward A. Gordon**PHONE:** (617) 951-7066**Attorney Dkt. #:** HSDO-P01-003**PAGES (including Cover Sheet):** 8**CONTENTS:** Fax Cover Sheet (1 page)
Letter to Examiners Pass and O'Connor (2 pages)
Proposed Amendments to the Claims (5 pages)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (617) 951-7066 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

ROPES & GRAY LLP**One International Place, Boston, Massachusetts 02110**
Telephone: (617) 951-7000 **Facsimile:** (617) 951-7050

--DRAFT--
Not to be entered on the record

Docket No.: HSDO-P01-003
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Helitzer et al.

Application No.: 10/656,479

Confirmation No.: 8693

Filed: September 4, 2003

Art Unit: 3686

For: SYSTEM FOR REDUCING THE RISK
ASSOCIATED WITH AN INSURED
BUILDING STRUCTURE THROUGH THE
INCORPORATION OF SELECTED
TECHNOLOGIES

Examiner: N. Pass

Examiners Pass and O'Connor
United States Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiners Pass and O'Connor,

Thank you for the courtesies extended during our telephonic interview of last week. Per your suggestion, below please find a draft set of proposed claim amendments that further tailor the claims to the insuring of buildings. The previously presented independent claims, claims 44, 47, and 61-63 are amended to recite that the recited sensors incorporated into the insured buildings must include at least one of a set building specific sensors that would not typically be found in a vehicle. Support for this amendment can be found at least on page 4, lines 6-12.

In addition, the proposed claim set includes one new claim, claim 64. Claim 64 recites that the previously recited database also stores data about types of building construction and that the determination of a premium alternation is based on the condition of the building, as derived from the monitoring data, in relation to the type construction of the building. Support for this amendment can be found at least on page 30, line 11-page 31, line 8.

--DRAFT--

Not to be entered on the record

I would appreciate the opportunity to speak with you both again in relation to these proposed amendments. Please let me know if there any times towards the end of this week or early next week at which you would be available.

Dated: November 2, 2009

Respectfully submitted,

By

Edward A. Gordon

Registration No.: 54,130

ROPES & GRAY LLP

One International Place

Boston, Massachusetts 02110

(617) 951-7000

(617) 951-7050 (Fax)

Attorneys/Agents For Applicant

-DRAFT-

Not to be entered on the record

PROPOSED AMENDMENTS TO THE CLAIMS

1-43 (Cancelled)

44. (Currently Amended) A system for insuring a building structure by taking into account technologies that militate against loss comprising:

a database identifying a plurality of technologies that reduce risk of loss to an associated building structure; and

computer executable instructions stored in memory, for causing a processor to:
issue, by an insurance company, an insurance policy covering a building structure that incorporates a sensor technology from the plurality of technologies identified in the database, wherein the incorporated sensor technology is capable of outputting data electronically;

obtain, by the insurance company, monitoring data indicating a condition of the building based on data output electronically by the incorporated sensor technology, wherein the incorporated sensors from which data is obtained include at least one of a building smoke detector, a building fire detector, a building radiation detector, a building chemical hazard detector, a building biological hazard detector, a building water level detector, and a building water leakage detector;

determine an alteration to a premium for the insurance policy based on the condition of the building indicated in the monitoring data, and

alter the premium of the insurance policy based on the determination made by the processor.

45-46 (Cancelled)

47. (Currently Amended) A system for insuring a building structure by taking into account technologies that militate against loss comprising:

a database identifying a plurality of technologies that reduce risk of loss to an associated building structure;

a first processor for issuing, by an insurance company, an insurance policy covering a building structure that incorporates a sensor technology from the plurality of technologies

***--DRAFT--
Not to be entered on the record***

identified in the database, wherein the incorporated sensor technology is capable of outputting data electronically;

a server associated with the insurance company for receiving monitoring data indicating a condition of the building structure, based on data output electronically by the incorporated sensor technology, wherein the incorporated sensor technology from which data is received includes at least one of a building smoke detector, a building fire detector, a building radiation detector, a building chemical hazard detector, a building biological hazard detector, a building water level detector, and a building water leakage detector; and

a second processor for determining an alteration to a premium for the insurance policy based on the condition of the building structure indicated in the monitoring data, and altering the premium for the issued insurance policy based on the determination.

48-53 (Cancelled)

54. (Previously Presented) The system of claim 44, wherein the premium alteration determination is further based on information stored in the database about the incorporated sensor technology that electronically output the data on which the monitoring data was based.

55. (Previously Presented) The system of claim 44, wherein the insurance policy includes an attachment point, and the premium alteration determination is further based on the attachment point.

56. (Previously Presented) The system of claim 47, wherein the premium alteration determination is further based on information stored in the database about the incorporated sensor technology that electronically output the data on which the monitoring data was based.

57. (Previously Presented) The system of claim 47, wherein the insurance policy includes an attachment point, and the premium alteration determination is further based on the attachment point.

58-60 (Cancelled)

61. (Currently Amended) A method for insuring a building structure by taking into account technologies that militate against loss comprising:

--DRAFT--
Not to be entered on the record

maintaining a database identifying a plurality of technologies that reduce risk of loss to an associated building structure;

issuing an insurance policy, by an insurance company, covering a building structure that incorporates a sensor technology from the plurality of technologies identified in the database, wherein the incorporated sensor technology is capable of outputting data electronically;

obtaining monitoring data, by the insurance company, indicating a dangerous condition of the building, based on data output electronically by the incorporated sensor technology, wherein the incorporated sensor technology from which data is obtained includes at least one of a building smoke detector, a building fire detector, a building radiation detector, a building chemical hazard detector, a building biological hazard detector, a building water level detector, and a building water leakage detector; and

inputting the monitoring data into a computer system;

the computer system determining an alteration to a premium for the insurance policy based on the dangerous condition of the building indicated in the monitoring data; and

the computer system altering the premium of the issued insurance policy based on the determination.

62. (Currently amended) A system for insuring a building structure by taking into account technologies that militate against loss comprising:

a database identifying a plurality of technologies that reduce risk of loss to an associated building structure;

a first processor for issuing, by the insurance company, an insurance policy covering a building structure that incorporates first and second sensor technologies from the plurality of technologies identified in the database, wherein each incorporated sensor technology is capable of outputting data electronically,

a server associated with an insurance company for receiving monitoring data indicating a condition of the building structure, based on data output electronically by the first and second incorporated sensor technologies, wherein the first and second incorporated sensor technologies from which data is received include at least two of a building smoke detector, a building fire

-DRAFT-

Not to be entered on the record

detector, a building radiation detector, a building chemical hazard detector, a building biological hazard detector, a building water level detector, and a building water leakage detector; and

a second processor for applying a first weighting to data received from the first incorporated sensor technology and a second weighting, different from the first weighting, to data received from the second incorporated sensor technology; and

a third processor for determining an alteration to a premium for the insurance policy based on the condition of the building structure indicated in the monitoring data and the first and second weightings, and for altering the premium for the issued insurance policy based on the determination.

63. (Currently Amended) A method for insuring a building structure by taking into account technologies that militate against loss comprising:

maintaining a database identifying a plurality of technologies that reduce risk of loss to an associated building structure;

issuing an insurance policy, by an insurance company, covering a building structure that incorporates at least first and second sensor technologies from the plurality of technologies identified in the database, wherein ~~the~~ each incorporated sensor technology is capable of outputting data electronically;

obtaining monitoring data, by the insurance company, indicating a condition of the building, based on data output electronically by the first and second incorporated sensor technologies, wherein the first and second incorporated sensor technologies from which data is received include at least two of a building smoke detector, a building fire detector, a building radiation detector, a building chemical hazard detector, a building biological hazard detector, a building water level detector, and a building water leakage detector; and

inputting the monitoring data into a computer system;

the computer system applying a first weighting to data received from the first incorporated sensor technology and a second weighting, different from the first weighting, to data obtained from the second incorporated sensor technology;

***--DRAFT--
Not to be entered on the record***

the computer system determining an alteration to a premium for the insurance policy based on the condition of the building indicated in the monitoring data and the first and second weightings; and

the computer system altering the premium of the issued insurance policy based on the determination.

64. (New) A system for insuring a building structure by taking into account technologies that militate against loss comprising:

a database identifying i) a plurality of technologies that reduce risk of loss to an associated building structure and ii) a plurality of building construction types; and

computer executable instructions stored in memory, for causing a processor to:
issue, by an insurance company, an insurance policy covering a building structure that incorporates a sensor technology from the plurality of technologies identified in the database, wherein the incorporated sensor technology is capable of outputting data electronically;

obtain, by the insurance company, monitoring data indicating a condition of the building based on data output electronically by the incorporated sensor technology;

obtain, by the insurance company, data indicating a type of construction of the insured building structure;

determine an alteration to a premium for the insurance policy based on the condition of the building indicated in the monitoring data in relation to the type of construction of the building, and

alter the premium of the insurance policy based on the determination made by the processor.